

## RESOLUTION NO. 293. ✓

By Mr. Manly.

Declaring it necessary to improve Peck Avenue from Main Street to the south line of Astor Avenue by paving the roadway and constructing a six inch water line and necessary draining sewers therein.

WHEREAS the owners of all of the property fronting and abutting upon said Peck Avenue between Main Street and Astor Avenue in the village of Bexley, State of Ohio, have filed with the council of said village their written petition for the improvement of said Avenue as follows, to-wit:

"We, the undersigned, being the owners of the number of feet of property set opposite our names below, and being all in interest of the property abutting on Peck Avenue between Main Street and the south line of Astor Avenue of Rider's Addition in the village of Bexley, Ohio, respectfully petition the honorable council to pass the necessary legislation therefor and to improve said Peck Avenue between the points above named, by grading, curbing and paving the roadway with brick, asphalt, bitulithic, tarvia, concrete or some other form of permanent improvement, constructing the necessary storm sewers to furnish proper drainage for such improvement, constructing a six inch water line between said points with necessary fire hydrants, and making water connections therefrom to the lots and lands fronting and abutting upon said avenue and consent that the entire cost of said improvement, except only such portion thereof as is by law chargeable against the village, may be assessed and collected in equal annual installments in proportion to the whole assessment in the manner which may be fixed by the council."

"And the undersigned, and each of them, consent and request that said assessments be levied and collected without reference to the value of the property of the subscribers hereto and waive all benefits of the provisions of Section 3918 of the General Code limiting assessments to thirty-three and one-third per cent of the value of the property assessed for any and all purposes within the period of five years; and also waive all benefits of the provisions of Sections 3814, 3818 and 3895 of the General Code providing for the service and publication of notice of the proceedings for the construction of said improvement and the making and levying of the assessments therefor."

"Charles R. Zimmer, Fred I. Rector, A. A. Barriack, Albert W. Zimmer, O. C. Manly, Christian Castlow, J. W. Search, Mary E. Search."

NOW THEREFORE BE IT RESOLVED by the council of the Village of Bexley State of Ohio:

Section 1. That it is necessary to improve Peck Avenue between

Main Street and the south line of Astor Avenue in Rider's Addition in said village, by grading, curbing and improving the roadway with brick, asphalt, bitulithic, tarvia, concrete or some other form of permanent improvement, constructing the necessary storm sewers to furnish proper drainage for such improvement, constructing a six inch water line with necessary fire hydrants in said Avenue between the points aforesaid, and making water connections therefrom to the lots and lands fronting and abutting thereon, in accordance with the plans, specifications, estimates and profiles of the proposed improvements prepared by the engineers of said village and now on file in the office of the village clerk, which plans, specifications, estimates and profiles hereby are approved.

Section 2. That the grade of said Avenue as improved shall be the grade shown by and upon the plans and profiles aforesaid, and the grade of the curbs shall be as follows, to-wit:

WEST CURB. Beginning at the south property line of Astor Avenue, Station 8+05.3 and elevation 103.99; thence northerly with a 0.46% ascending grade to the south curb line of Astor Avenue, Station 8+18.3, elevation 103.93; thence northerly across Astor Avenue to the north curb line, Station 8+42.3, elevation 103.93; thence northerly with a 0.30% ascending grade to station 23+53.1, elevation 108.46; thence northerly with a 0.48% ascending grade to the south line of Main Street, station 25+11.1, elevation 109.21.

EAST CURB. Same elevation as west curb.

All above elevations are referred to Village Datum.

Section 3. That the whole cost of said improvement, less one-fiftieth (1/50) thereof and the cost of intersections, shall be assessed by the front foot upon the following described lots and lands to-wit: All of the lots and lands bounding, fronting and abutting upon said proposed improvement, which said lots and lands hereby are determined to be specially benefited by said improvement and in an amount equal to that part of the estimated cost thereof hereby determined to be assessed thereon.

Section 4. That the assessments so to be levied shall be paid in not more than ten or less than nine equal annual installments, with interest on the deferred payments at the same rate as shall be borne by the bonds to be hereafter issued in anticipation of the levy of such assessments.

Section 5. That bonds of said village shall be issued, in anticipation of the levy of said assessments, in an amount sufficient to pay that portion of the estimated cost of said improvement herein before determined to be assessed upon the property fronting and abutting thereon.

Section 6. That the remainder of the cost of said improvements shall be paid either from the proceeds of bonds of said village issued in the manner provided by law, or from the street improvement funds of said village.

Section 7. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted May 23, 1922.

Attest:

S. W. Hoderick

Clerk

*S. E. Ludwig*

S. E. Ludwig,

Mayor

I, S. W. Hoderick, clerk of the Village of Berley, State of Ohio, do hereby certify that there is no newspaper published in said municipality, and that publication of the foregoing resolution was duly and by posting true copies thereof at five of the most public places in said corporation as determined by the council, as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Broad Avenue, Broad Street and Broad Avenue and Parkview Avenue and Platte Avenue, each for a period of fifteen days commencing on the 23rd day of June, 1922

*S. W. Hoderick*

Clerk of the Village of Berley, Ohio

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